



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

GMP:BCR/ASF
F. #2009R01065

*271 Cadman Plaza East
Brooklyn, New York 11201*

December 10, 2018

By ECF

The Honorable Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Joaquin Archivaldo Guzman Loera
Criminal Docket No. 09-466 (S-4) (BMC)

Dear Judge Cogan:

The government respectfully submits this letter in response to Your Honor's request in court on December 10, 2018, that the government review and, if necessary, provide additional information relating to the documents that are the subject of the defendant's request for in camera review. See Dkt. Nos. 487, 495.

First, following additional review, the government has decided to remove most of the redactions to the report identified as 3500-72 and is providing a revised version of that report to the defense.

Second, as Your Honor suggested might be useful, the government is herewith providing the defendant with "Brutonized" versions of the reports identified as 3500-86, 3500-88, and 3500-89. Where possible, these versions now identify the persons and entities redacted with generic identifiers (e.g., "PERSON A," "ENTITY B") so that a reader is better able to understand consistencies within and between the reports. As before, and as with all Section 3500 material relating to cooperating witnesses, these documents are Protected Material consistent with the terms of the Protective Order in this case and are therefore being provided under seal and pursuant to the terms of the Protective Order. See Dkt. No. 57.

Third, the government is submitting an ex parte letter concurrent with this filing to provide additional context and detail regarding the need for limited redactions to the names of persons and entities identified in the reports in question. The government's redactions have not been made to protect any persons or entities from embarrassment, but rather to protect the integrity of ongoing investigations; ensure the safety of the cooperating witness, his family,

and other persons; and to avoid inflicting unnecessary harm on the diplomatic relationship between the United States and a foreign country.

Finally, the government reiterates that none of the redacted information is within the scope of the witness's upcoming direct examination. Indeed, as a general matter, the redacted portions of the reports relate to issues and investigations that are entirely collateral to the issues in this case, and have no bearing on the defendant's guilt or innocence or the cooperating witness's credibility and bias vis-à-vis the defendant.

Respectfully submitted,

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cc: Clerk of Court (BMC) (via ECF)
Defense Counsel (via Email)